



He

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
Date: October 27, 2006 Name: John C. Freeman, Esq. Signature: *John C. Freeman*

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Georg Zehentner et al.**
Appln. No.: **10/633,275**
Filed: **August 1, 2003**
For: **METHOD FOR ERROR DETECTION IN A DRIVE MECHANISM**
Attorney Docket No: **56/410**

Examiner: **Velez, Roberto**
Art Unit: **2829**

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Response to Election/Restriction Requirement.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

October 27, 2006
Date

John C. Freeman
John C. Freeman, Esq. (Reg. No. 34,483)

BRINKS HOFFER GILSON & LIONE
NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

**BRINKS
HOFFER
GILSON
& LIONE**



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on October 27, 2006

Name of Registered Representative:

John C. Freeman, Reg. No. 34,483

October 27, 2006
Date of Signature

PATENT
CASE NO. 56/410

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
)
Georg Zehentner et al.)
) Group Art Unit: 2829
)
Serial No.: 10/633,275)
) Examiner: Velez, Roberto
Filed: August 1, 2003)
)
For: METHOD FOR ERROR)
DETECTION IN A DRIVE)
MECHANISM)

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

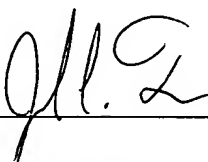
Dear Sir:

This election of species is in response to the Restriction Requirement mailed September 27, 2006. In the Restriction Requirement, Applicants were required to make an election of species between the species disclosed in Fig. 2 (Species A), the species of Fig. 5 (Species B) and the species of Fig. 18 (Species C).

Applicants elect, with traverse, Species A. It is believed that claims 1-37 cover Species A in that the methods of Species B and C can be performed with the method of Species A (see paragraphs 0029 and 0098, for example), where claims 1-19, 26-30 and 37 are generic to Species A and Species B and claims 31-37 are generic to Species A and C.

Applicants traverse the restriction requirement in that there would be significant overlap in the searches for the various species as evidenced by the large number of generic claims identified above. Since there would be no undue hardship for the Examiner to examine each species, the election/restriction requirement is improper and should be withdrawn. Note that Applicants reserve the right to file one or more divisional applications regarding Species B and C.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "J.C. Freeman", is written over a horizontal line.

John C. Freeman
Registration No. 34,483
Attorney for Applicants

BRINKS HOFER
GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

Dated: October 27, 2006